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5 Attorney for Plaintiff  
ALISON DAVI, a Minor, by and through her  
6 General Guardian, GIOLARMA DAVI

\*E-FILED - 12/4/08\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

**IT IS HEREBY STIPULATED** by and between the parties to this Stipulation, by and

20 through their respective counsel of record, that the hearing on defendants Motion to Dismiss be  
21 continued from Friday, December 19, 2008 at 9:00 A.M. in Courtroom 6 to Friday, January 30,  
22 2009 at 9:00 A.M. in Courtroom 6. The reason for this continuance is due to calendar conflicts  
23 between counsel.

25           **IT IS FURTHER HEREBY STIPULATED** by and between the parties to this  
26           Stipulation, through their respective counsel of record and is respectfully requested that the Court  
27           continue its Case Management Conference, currently set for Friday, January 9, 2009 at 10:30  
         A.M. to Friday, January 30, 2009 at 10:30 A.M. The reason for this continuance is to allow the

1 Motion to Dismiss to be heard first and, depending upon the Court's ruling upon said motion, the  
2 Case Management Conference would follow the hearing, or be removed from calendar.

3 DATED: November 21, 2008

## LAW OFFICES OF ROBERT D. PONCE

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BY: /s/ Robert D. Ponce  
Robert D. Ponce  
Attorney for Plaintiff, ALISON DAVI, a Minor by  
and through her General Guardian, GIOLARMA  
DAVI

8 || DATED: November 23, 2008

## HOWARD ROME MARTIN & RIDLEY LLP

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BY: /s/ Joseph C. Howard, Jr.  
Joseph C. Howard, Jr.  
Attorneys for Defendants, CITY OF SEASIDE and  
KEVIN MILLER

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## ORDER

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15 Motion to Dismiss and the Case Management Conference be continued to January 30, 2009 at  
16 9:00 A.M. and 10:30 A.M., respectively. *P*

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Dated: 12/4/08

Ronald M. Whyte

Hon. Ronald M. Whyte  
UNITED STATES DISTRICT JUDGE

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STIPULATION TO CONTINUE HEARING ON DEFENDANTS' MOTION TO DISMISS; CASE MANAGEMENT CONFERENCE, ETC.  
Davi v. City of Seaside, et al. - Case No.: C08 04095 RMW